MESSAGE NO: 8312201 MESSAGE DATE: 11/07/2008

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC V NON-PUBLIC

SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE MESSAGE #

(s):

CASE #(s): A-570-891

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/24/2004 TO

Message Date: 11/07/2008 Message Number: 8312201 Page 1 of 5

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS ON SCOPE RULING FOR HAND TRUCKS AND CERTAIN PARTS FROM CHINA FOR REISENTHEL ASSOCIATES CARRYCRUISER (A-570-891)

MESSAGE NO: 8312201 DATE: 11 07 2008

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 891 - -

_ _ _

- - -

PERIOD COVERED: 05 24 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS ON SCOPE RULING FOR HAND TRUCKS AND CERTAIN PARTS FROM CHINA FOR REISENTHEL ASSOCIATES CARRYCRUISER (A-570-891)

- 1. THE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM REISENTHEL ASSOCIATES. THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON 10/15/2008 THAT REISENTHEL ASSOCIATES' CARRYCRUISER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC (A-570-891).
- 2. THE COMMERCE DEPARTMENT DETERMINED THAT REISENTHEL
 ASSOCIATES' CARRYCRUISER HAS NEITHER A PROJECTING EDGE NOR A
 Message Date: 11/07/2008 Message Number: 8312201 Page 2 of 5

TOE PLATE WHICH CAN SLIDE UNDER A LOAD FOR PURPOSES OF LIFTING AND/OR MOVING THE LOAD. SECONDLY, THE CARRYCRUISER HAS NO SURFACE OR STRUCTURE AGAINST WHICH TO REST A LOAD FOR TRANSPORT. THIRDLY, THE LIGHTWEIGHT CONSTRUCTION AND FORM OF THE CARRYCRUISER, WITH ITS INTEGRAL TEXTILE BAG, RENDERS THE CARRYCRUISER TOO LIGHTWEIGHT AND INSUBSTANTIAL FOR USE AS A HANDTRUCK. THEREFORE, REISENTHEL ASSOCIATES' CARRYCRUISER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC.

- 3. EFFECTIVE 10/15/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004 OF REISENTHEL ASSOCIATES' CARRYCRUISER LISTED ABOVE.
- 4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE REISENTHEL ASSOCIATES' CARRYCRUISER LISTED ABOVE.
- 5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE REISENTHEL ASSOCIATES' CARRYCRUISER ENTERED, OR WITHDRAWN FROM WAREHOUSE,

FOR CONSUMPTION ON OR AFTER 05/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF Message Date: 11/07/2008 Message Number: 8312201 Page 3 of 5

THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

- 7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HAND TRUCKS AND CERTAIN PARTS THEREOF SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.
- 8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O7:DC)
- 9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Message Date: 11/07/2008 Message Number: 8312201 Page 4 of 5

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Message Date: 11/07/2008 Message Number: 8312201 Page 5 of 5